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17 Attorneys for Defendant,  
18 Sony Corporation of America

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA

21 GREGORY BENDER

) Case No. 09-CV-01246-CRB

22 Plaintiff,

)  
23 ) **STIPULATION AND [PROPOSED]–**  
24 ) **ORDER TO EXTEND TIME TO**  
25 ) **RESPOND TO AMENDED**  
26 ) **COMPLAINT**

v.

27 SONY CORPORATION OF AMERICA, a New  
28 York corporation,

Defendant.

29 RECITALS

30 WHEREAS, the Complaint of Plaintiff Gregory Bender (“Plaintiff”) in this action was  
31 filed on or about March 23, 2009;

32 WHEREAS, the Amended Complaint of Plaintiff in this action was filed on or about May  
33 20, 2009;

WHEREAS, Plaintiff filed a Stipulation to File a Second Amended Complaint on September 15, 2009 which amends the party names and the accused products;

WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's Amended Complaint is due on October 14, 2009;

WHEREAS, the Parties are waiting for the Court's decision regarding the Stipulation to File a Second Amended Complaint;

WHEREAS, this extension will provide time for the Court to determine whether to accept the Parties' stipulation regarding Plaintiff's Second Amended Complaint; and

WHEREAS, this additional time will not interfere with any other deadlines set by the Court in this matter.

## STIPULATION

Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that the time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other responses to Plaintiff's Amended Complaint in this action shall be extended to and including November 4, 2009 or such other time as may be required to respond to a Second Amended Complaint if allowed by the Court.

APPROVED AS TO FORM AND CONTENT

DATED: October 14, 2009

STEVEN M. BAUER  
MICHAEL A. FIRESTEIN  
JACOB K. BARON  
PROSKAUER ROSE LLP

/s/ Jacob K. Baron

Jacob K. Baron

Attorneys for Defendant,  
Sony Corporation of America

1  
2 DATED: October 14, 2009  
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DAVID N. KUHN  
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/s/ David N. Kuhn  
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David N. Kuhn  
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8 Attorney for Plaintiff,  
9 Gregory Bender  
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1 DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B  
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3 I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have  
4 obtained the concurrence on the filing of this document from the all the signatories listed above.

5 I declare under penalty of perjury that the foregoing declaration is true and correct.  
6

7 DATED: October 14, 2009  
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9 /s/ Jacob K. Baron  
10

11 Jacob K. Baron  
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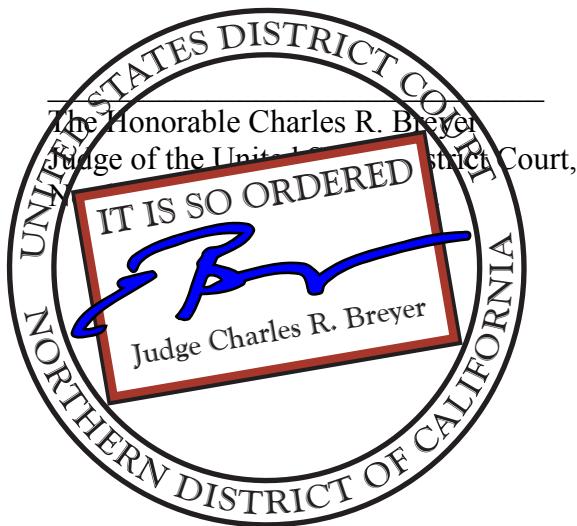
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1 **PROPOSED ORDER**

2 Having considered the foregoing Stipulation, and good cause appearing,  
3 (1) The time within which Sony shall be required to file its answer, motion,  
4 counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action  
5 shall be extended to and including November 4, 2009 or such other time as may be required to  
6 respond to a Second Amended Complaint if allowed by the Court.

7 IT IS SO ORDERED

8 DATED: October 15, 2009



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